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EXAMINER

ADDY, ANTHONY S

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory ACTION

Response to Arguments

1. Applicant's arguments filed on July 07, 2007 have been fully considered but they are not persuasive.

In response to applicant's argument that "Shiigi does not teach or suggest both a first application and a second application operable on the same client computer (see page 9, second and third paragraphs and page 10, first paragraph of the response)," examiner respectfully disagrees and maintains that Shiigi meets the limitations as claimed. Examiner reiterates that Shiigi teaches a communication terminal (*e.g., client computer 210*) operational with at least two applications (*e.g., Handwriting Messaging Client 211 & Java VM 212, & Web Browser 213 which supports an email client, such as Microsoft Outlook, Pegasus Mil, Eudora mail, or Lotus Notes*), each of said at least two applications operable to provide a user interface (see p. 3 [0027 & 0032] and Fig. 1B; *where a Handwriting Messaging Client 211, a Java Virtual Machine (VM) 212 and a web browser 213 are shown operable on the same client computer 210*). Examiner agrees with Applicants' argument that "Shiigi fails to explicitly teach a control unit configured to determine whether said email message is a first type of email message or a second type of email message", however, examiner maintains that it is because of this fact that Kelley is cited as the secondary reference in the U.S.C. 103(a) rejections to teach a control unit configured to determine whether said email message is a first type of email message or a second type of email message.

Examiner reiterates that Kelley clearly meets the above limitation missing in Shiigi as set forth in the rejections, since Kelley teaches a client computer is configured to determine whether a received email message is a first type of email message or a second type of email message that is different from said first type of email message (see col. 5, lines 41-48 and col. 6, lines 40-53), hence the above teaching of Shiigi as modified by Kelley clearly teaches and meets the claimed limitations of “a control unit configured to determine whether said email message is a first type of email message or a second type of email message.”

Furthermore it has been held that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). In the present application, applicant's arguments are based on considering each reference individually while the rejection is based on a combination of references, hence the rejections using the combination of Shiigi and Kelley are proper and maintained.